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# TEAMSTER CONVOY DISPATCH

109



VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

April 1994 #131

## Carey Moves to Cut 'Dinosaurs'

"The area conferences are dinosaurs from a bygone era," Teamster president Ron Carey declared on March 21. "They're outmoded, undemocratic and wasteful."

On that date Carey moved to revoke the charters of the four U.S. area conferences, and thus end a wasteful layer of bureaucracy within our union. The General Executive Board we elected two years ago has this power under the IBT Constitution, and Carey will put it before the GEB when they meet on April 19.

Carey also ordered immediate audits of the conferences—Eastern, Central, Southern and Western—"so that members can be given a full report on what their dues money has been used for." In addition, Carey dispatched representatives to observe operations, and he made changes in the conference bylaws to prevent "any looting of the conference treasuries while the GEB considers revocation of the charters."

Reaction to the move was quick. TDU issued a statement calling it a

welcome and overdue step, and a major democratic reform. Members' reaction across the country is enthusiastic. In discussions of the dues referendum issue in the past month, many members said that they still see too much waste, multiple salaries and old guard bureaucracy in the structure to vote for the dues hike.

The four heads of the area conferences reacted predictably. Bill Hogan Jr., chair of the Central Conference, stated Carey was making a "power and money grab." Hogan is famous for his "I am living proof that nepotism works" statement in a campaign speech of 1991.

All four conference chairs ran in the first-ever IBT membership election two years ago and were soundly defeated. They hold unelected posts in the conferences (see box for bios, page 6). They are expected to strongly resist the action, including going to court to claim that the move is retaliation against opponents.

Eastern Conference chair Walter Shea, backed by policy committee

members R.V. Durham, Anthony Rumore and Frank Carracino, at first blocked International reps from entering the building and changed the locks. Carey declared he would take legal action to enforce the IBT Constitution.

### Effect of the Action

If the charters of the conferences are revoked by the GEB, the first effect will be to save the \$14 million a year that they capture in dues money; \$3 million of that will revert to the International union, which would stop paying 20 cents per member per month to the conferences. What would happen to the remaining \$11 million remains to be worked out, and Carey has appointed transition teams to investigate options.

For this money, the conferences provide very little to members. They negotiate virtually no contracts, pro-

vide no strike benefits, do almost no organizing. But they do take care of the fat cats. For example, the largest item—by far—in the Western Conference budget is a special third pension plan for every BA and full-time official in the West. This single item eats up over \$1 million a year in members' dues. Another major item is the payment of multiple salaries to top unelected officials. All four conference chairs, for example, are millionaires who make huge salaries. This kind of waste would be eliminated by charter revocation.

The conferences picked up old guard officials that were cast off when the elected officers cleaned house at the IBT. For example, when Chuck Mack lost this third salary (as an International Rep), the Western Conference moved quickly to apply dues

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## Union's Future on Line in NMFA

The campaign to strengthen the National Master Freight Agreement and the campaign for structural reform in our union are both critical to our future. We cannot fully win one without the other. A strong, democratic union and a strong, well-enforced contract go hand in hand. At this time we are pressing ahead on both fronts, as we head toward the April 1 expiration of the NMFA.

Our strike vote of over 90% sent a strong and united message both within our union and to the employers. But as we go to press in late March, the employers (Trucking Management Inc.) still have major concessions on the table: more railing to undermine road jobs, and low-wage part-timers to undermine dock jobs.

The employers continue to bombard us with propaganda, and we need to keep our eyes on the prize. The prize is a fair contract that we can live with,

that the companies can live with and that allows us to go out and organize non-union carriers under it.

### What We're Fighting For

- **Top pension benefits, including 25-and-out.** We will reject any contract with less than UPS on pension contributions, and we demand better benefits out of our pension funds. Also, protection of H & W benefits.
- **Improved grievance procedure, including "Innocent Till Proven Guilty."** This is a no-cost item. We should not settle for less.
- **Improved job security.** We're fighting for real job security—ending the diversion of jobs to nonunion subsidiaries. Tighten casual language to provide more full-time jobs.
- **A decent wage increase to protect us against inflation** eating our paycheck. Top executives of our

*continued on page 3*



Amanda, Anita and Austin Richardson picket at the gates of the Roanoke, Va., UPS terminal to protest UPS's firing of Carl Richardson. See story page 4.

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# UNION SOLIDARITY

## Entenmann's Boycott

# Carey, Kirkland Busted!

The Teamsters union is now in the third year of its strike against Diamond Walnut and the determination of the union to win this fight was indicated when Ron Carey, Lane Kirkland (AFL-CIO President) and Frank Hurt (Bakery union president) were arrested last week outside Entenmann's Miami Bakery during the AFL-CIO Executive Council meeting.

Meanwhile, in California a score of trade unionists were hauled off in handcuffs for obstructing traffic by chaining themselves to the gates of an Entenmann's plant.

The Entenmann's boycott is the latest battleground in an international boycott of Diamond Walnut products. In 1985, when Diamond was struggling financially, the workers (predominately women and minorities) accepted 30 and 40 percent pay cuts in order to save their company. In 1991, after returning to profitability on the strength of its workers sacrifices and dedication, the company demanded still more concessions. The workers walked out in protest and were immediately replaced.

Since the boycott was launched in late 1991, a number of commercial purchasers of walnuts have agreed not to use Diamond Walnuts. These include Fannie May and Fannie Farmer Candies, Godiva Chocolates, Dreyers Ice

Cream, Nabisco, and Quaker Oats.

Entenmann's, on the other hand, first complained that they had to keep using Diamond Walnuts due to a contractual obligation. But when the contract expired it exploited the strike by buying millions of dollars of walnuts at prices driven to rock-bottom by the success of the international boycott—thus artificially prolonging the strike.

### Women's Conference Takes to the Streets in Support

The boycott was further dramatized on March 5 when International Vice-president (and TDU Co-chair) Diana Kilmury led 500 women attending the first Teamster Women's Caucus in a march from the conference hotel to the nearest supermarket where they picketed to protest the sale of Entenmann's baked products. "Working women built Diamond Walnut, working women are the backbone of this strike, and we are calling on working women everywhere to stop buying Diamond

Walnuts and Entenmann's baked goods," said Kilmury.

Ron Carver, director of the office of strategic campaigns for the IBT, said as of last week more than 500,000 fliers calling for the boycott were distributed nationwide.

The four-color flier, designed to look like a supermarket tabloid, is titled, "The Supermarket Blues." It includes a headline that reads, "Entenmann's Bakes with Tons of Scab-Processed Walnuts."

### Federal Mediation

In a related development, Labor Secretary Robert Reich has asked both sides to come to Washington for new talks, with John Calhoun Wells, the newly appointed director of the Federal Mediation and Conciliation Service, as mediator. Both sides have agreed and General President Ron Carey has pledged that he will be personally involved in the discussions when talks go forward.

## Local 279 Officials Learn Solidarity

Members of United Paper Workers International Union, (UPIU) have taught the officials of Teamsters Local 279 a lesson in union solidarity. Since last fall, the locked out members of A.E. Staley Manufacturing Co. have

been trying to get Local 279 in Decatur to respect their primary picket lines. Article 9, Section 1 of the National Master Freight Agreement protects Teamster rights to refuse to cross the picket lines of a primary labor dispute. Despite this language, Local 279 was instructing Teamster members to pick up and deliver freight at Staley, or risk losing their jobs.

A March 7 letter to Local 279 from Freight Director Dennis Skelton gave them clear instructions in what solidarity means. He wrote, "In view of the protection provided in Article 9, Section 1 of the NMFA, you should instruct your members to exercise their rights contained in the NMFA: no work where a primary labor dispute exists. It seems that some officials need to study up on the lessons of union solidarity before Teamsters are never again seen as the scabs of the labor movement."

## TDU International Steering Committee

### Co-Chairs:

Dan Campbell, Milwaukee Local 344  
Joe Fahey, Watsonville, Calif., Local 912  
Diana Kilmury, Vancouver, B.C., Local 155  
Michael Sawvoir, Kansas City, Mo., Local 41

### Organizer:

Ken Paff, Detroit

### Trustees:

Frieda Burgan, Phoenix Local 104  
Debra McBride, Charlotte, N.C., Local 71  
Gordy Teller, Seattle Local 741

### Members:

Bilal Chaka, Long Beach, Calif., Local 692  
Chuck Crawley, Houston Local 988  
Patricia Franks, Allentown, Pa., Local 773  
Gillian Furst, Minneapolis Local 1145  
Tom Rose, Cleveland Local 507  
Michael Ruscigno, New York Local 138  
Sally Smith, Los Angeles Local 896

### Alternates:

Don Riccio, Reading, Pa., Local 429  
James Jacob, New Bedford, Mass., Local 251  
Mike Hadden, St. Louis Local 604

## Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1993 for one year. Our Rank & File Convention had nearly 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

## Rank & File Bill of Rights

**I. DEMOCRATIC BY-LAWS.** All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

**II. DIRECT ELECTION OF OFFICERS.** General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

**III. A FAIR GRIEVANCE PROCEDURE.** Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

**IV. PRESERVATION OF WORKING CONDITIONS.** The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

**V. SAFETY AND HEALTH.** We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

**VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK.** Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

**VII. A DECENT PENSION.** Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

**VIII. JUST SALARIES FOR OFFICERS.** A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

**IX. EQUALITY AMONG TEAMSTERS.** Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

**X. END TO DISCRIMINATION.** Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

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## How to Contact TDU

We want to hear from you. Contact us at the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

**National Office:** P.O. Box 10128,  
Detroit, Mich., 48210. (313) 842-2600.

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## FREIGHT NEWS

# Union's Future on the Line in NMFA

continued from page 1

employers are raising their salaries while trying to give us peanuts.

- **Improved health and safety protections and improvements in language in contract supplements.** (Remember, for the first time we have the right to vote on our contract supplements as well as the master agreement.)
- **Right to seniority protection** for members who win office or accept union appointments. Another no-cost item, and one that makes our union more democratic.
- **No concessions.** Our strike vote has told employers what we think of their demands.

### Organizing

Double breasting has been a critical issue during these negotiations and will likely continue to be so afterwards. The employers complain about nonunion competition, but they try to tell us that double breasting is not an issue. Real Teamster job security means ending the practice of diverting freight and profits into the nonunion subsidiaries. The long-term strategy to build Teamster power in the freight industry must include aggressive organizing campaigns. A good contract and the reforms initiated by the International

are critical first steps in reaching our long-term goals. Structural reforms could facilitate regional coordination with the International, which is necessary to win large-scale organizing campaigns.

### Battle for Reform

Pension benefit increases, including a decent 25-and-out, are one of the top goals among rank-and-file freight Teamsters. Our unity has shown the employers that we are ready to do what it takes to win the necessary wage and benefit increase needed to retire with dignity. But to achieve the goal of better pensions, we need the union pen-

sion fund trustees to be accountable to the rank and file membership. The undemocratic conference structure has prevented that kind of accountability in the Central States Pension Fund. Restructuring could potentially lead to accountability from our pension fund trustees and more dignity for retired Teamsters.

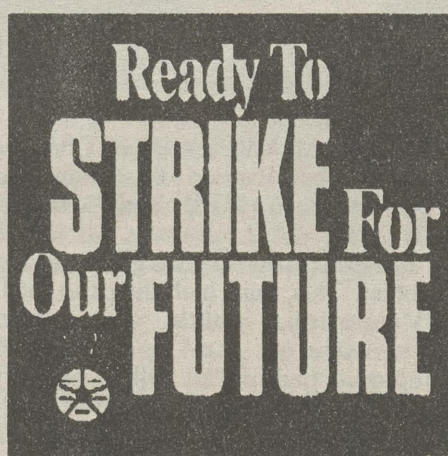
### Grievance Panel Reform

Another goal in this contract, grievance panel reform, cannot be complete without further reforms in our union. Many reforms, like innocent till proven guilty and certain procedural matters, must be negotiated with the employers. Others, like accountability of union panel members, demands internal union reforms. Now is the time for grievance panel reform.

The freight employers are campaigning hard, directly with the mem-

bership. They are sending us so many videos, cassettes, letters and execs to talk to us, it's a wonder they have any time to spend running the companies. No longer can they make deals with union negotiators who keep the members in the dark. So they are going directly after us to lower our expectations and divide us from our elected national leadership.

The battle for reform in the union is a vital part of the campaign for a decent NMFA. TDU and the New Teamsters leadership are building a campaign that keeps members informed and depends on membership involvement. At the same time we are building a stronger, more democratic union. One cannot exist without the other. So if we keep it together, stay informed and get more involved we will win a decent contract and a better union.



## CF Fires Chief Steward Over Unsafe Equipment

In a move designed to eliminate a long-time TDU safety advocate and Carey supporter, Consolidated Freightways and the JC 38 Central California grievance panel upheld a discharge for refusing to move unsafe equipment on a public highway.

### Improperly Loaded Trailers

CF's Sacramento, Calif., chief linehaul steward John Platt arrived at work on March 10 to find that his assigned truck, with double trailers, had an uneven load distribution and further contained over 4,000 pounds of hazardous materials (flammable solids 4.1) in one of the trailers. The company tried to convince Platt to take the rig, first by saying it "wouldn't make service (delivery)," then by threatening to fire him. Platt rejected both attempts and demanded to be reloaded to conform to applicable DOT regulations. Instead, the company had a safety supervisor operate the truck on sunny, dry and clear California roads for a couple of miles and deemed the rig safe.

Platt then informed the company that he was dispatched to Portland, Ore., and that there were adverse road conditions predicted in Northern California and throughout Oregon. The company admitted that the set of doubles had not been operated in any adverse road conditions, but still continued to insist it was safe. Platt told the company that he considered the rig

unsafe to the motoring public and himself. At that point, the company gave him a warning letter for refusing a dispatch, then ordered him again to take the truck out without making any adjustments to the load. Platt again refused, citing DOT regulations and language in Article 16 of the NMFA, and was fired on the spot.

Exactly one week later, a discharge panel was convened composed of union representatives Gib Allison (Fresno Local 431) and Bob Gamaza (Stockton Local 439). Both Allison and Gamaza sided with the company and upheld the discharge, refusing to deadlock the grievance to the Joint Western Area Conference level.

### Grievance Panel Reform Needed

The problem this represents to the rank and file is not new—union grievance panels that consistently side with the companies on discharges, especially when safety issues are raised. The other side of the coin is the obvious political bent of union panels who represent the old guard and will use their power to cause opposition (Carey) supporters to lose their jobs and eliminate the voice of the rank and file.

Fortunately, Platt carefully upheld public safety and DOT regulations, so has a good case under the STAA 405 regulation, enforced by OSHA. He is preparing a complaint and expects to win his job and full back pay.

## Freight Lines

### Neal Ends Yellow Deal.

The February edition of *Convoy Dispatch* revealed a special rail and shuttle deal that John Neal gave Yellow on the eve of NMFA negotiations. Yellow had sought a similar rail agreement for movement of truckload freight from the International union for nearly a year. On March 7, Neal sent a letter to Yellow canceling the experimental agreement.

### Yellow's Nonunion Saia Expands.

The nonunion subsidiary of Yellow Freight has expanded its service in Texas, Arkansas and Tennessee. New terminals were opened in San Antonio and Austin to establish intrastate service in Texas. Yellow transferred intrastate operating authorities formerly held by Jones Truck Lines to Saia. *Transport Topics* reports that "the expansion has been fueled by its parent company, Yellow Corp."

Smalley, another nonunion carrier owned by Yellow, had 1993 net losses of \$2.3 million. Yellow is using the profits generated by Teamsters to expand their nonunion double-breasted operations. Think of that the next time TMI tells you that double breasting is not an issue.

### Intermodal Growth Slows.

Freight industry analysts are speculating that the rapid growth of intermodalism may be slowing down. The railing of freight had seen record growth in recent years and was expected to continue to increase at a rate of 7.5% per year. However recent actions taken by Burlington Northern Railroad (BN) and J.B. Hunt have cast doubts on the industry's ability to maintain such a rapid growth rate. BN has closed intermodal hubs in Houston, and Dallas traffic to and from the Midwest. J.B. Hunt has cut its order of new containers in half, despite the industry's shortage of equipment.

### Organize Lebarnd? You Bet!

During Central Pennsylvania Supplement freight negotiations, Ken Leedy, vice president of New Penn Motor Express and chairman of the employers' negotiating committee, saw fit to lecture union negotiators about the threat of nonunion competition. Leedy went so far as to demand the union go out and organize his nonunion competitors. Leedy also happens to run one of these nonunion competitors, Lebarnd.

The ever-cooperative Tom Griffith, president of Local 776 and chairman of the union committee, "gladly accepted his offer." He sent organizers over to Lebarnd to begin collecting cards and issued a leaflet stating, "Now that Ken Leedy has made the statement that Teamsters should organize the double-breasted companies so that New Penn can be more competitive, you should all work toward that goal by signing an authorization card and allow the experienced leadership at Teamsters Local 776 to bring fairness back to your workplace."



# UNITED PARCEL SERVICE

## 'Bring Carl Back!'

Roanoke, Va., sets along the southern tip of the Blue Ridge Mountains. Less than three hours west are coal towns, such as Big Stone Gap, Clintwood, Dante and Wise, where the United Mineworkers of America won a historic victory at Pittston Coal.

Now a new struggle in this part of the country embodies our union's national campaign for safe working conditions at UPS. This is a story about one family's courage in the face of corporate greed and meanness. It's about our worst nightmares at UPS: if we dare to stand up, we might get cut down; but if we don't stand up, how can we survive the indignities, the production standards and the unsafe conditions? It's about the UPS Teamsters at the Roanoke Hub. It's about steward Carl Richardson, his wife, Anita, and their two kids, Amanda and Austin, who are feeling the heat right now because UPS unjustly fired Carl on Feb. 28. And it's about all of us — because we are all Carl and Anita Richardsons.

Carl and other Local 171 stewards at the Roanoke Hub were angered that local officials refused to participate in the one-day strike called by the International union Feb. 7. However, with a signed copy of the temporary agreement in hand, they began to refuse to lift over-70 pound packages without the help of another bargaining unit worker.

On Monday, Feb. 21, UPS management met with Local 171 President Jim Guynn and the six shop stewards. Present for the company were division manager Warren King and labor relations managers Dwight Barrickman and Ron Wynn, both from Richmond. Barrickman insisted that drivers had to handle packages with the customers' help. When steward Richardson read him the agreement refuting that claim, Barrickman barked, "Let's get one thing straight, you don't have the right to refuse anything unless it's unsafe. When we have arranged for the customer to assist you there is no question of safety."

Barrickman proceeded to verbally attack Richardson and said he'd be dealt with later. Five days later Richardson, a model worker and an outstanding steward, was fired for allegedly taking too long at a stop — "stealing time." This alleged cardinal sin was witnessed by none other than center manager Troy Bower and Barrickman, who said they had been following Richardson.

### Union Family Fights Back

Anita Richardson, 6-year-old Amanda and 2-year-old Austin armed themselves with homemade picket



Relatives of UPS Teamsters picket the Roanoke, Va., UPS terminal to protest Carl Richardson's firing and unsafe working conditions.

signs and braved the cold morning March 7 outside the main gate of the Roanoke Hub. "UPS FIRED MY HUSBAND FOR REFUSING TO LIFT OVERWEIGHT PACKAGES" and "HONK FOR MY DADDY" greeted the drivers as they pulled out. The drivers responded by honking their horns and flashing their headlights. Many of them had left cardboard signs in their personal vehicles protesting Carl's firing. Managers came out to video tape the Richardsons and try to intimidate drivers by writing down the truck numbers of those who showed support. The *Roanoke Times* sent a reporter and photographer to cover the story. Management had no comment when approached by the press.

"I was scared," said Anita. "I was trembling. But when the drivers all came out of the yard and were honking their horns and giving the thumbs up sign I felt real good. This isn't just about Carl getting fired. It's about the health and safety of those who are being forced to lift packages that can cause irreparable harm and loss of jobs due to injury."

The response to the *Times* story (and color photo of Anita and the kids) was enormous. The Richardsons' phone started ringing off the hook. Well-wishers, customers, drivers and spouses of UPS workers called in to show support. Others picked up the cause and joined Anita in organizing another informational picket the following Monday. Joining her were 25 spouses, relatives, a Teamster retiree and the mother of a 21-year-old part-timer who had been rushed to the hospital after injuring himself just days before.

Patrick Kelley was injured while lifting an unmarked overweight package. His mother, Debbie Scott, said the package weighed 90 pounds and caused her son to suffer strained ligaments in his back. Patrick, a college senior, may not be able to graduate because he can't complete two physical education classes, she said. Scott carried a sign proclaiming, "MY SON WENT TO THE HOSPITAL AFTER

LIFTING AN OVERWEIGHT PACKAGE." Others carried signs, including: "NO BACK NO JOB!" and "SHAME ON UPS!"

More media converged on the protest. This time including the local TV station, which interviewed demonstrators and panned the employee parking lot full of support signs in windshields. Just before start time about 50 drivers came out of the building chanting "BRING CARL BACK!" The TV station ran the story at noon, and at 5, 6 and 11 p.m. Another bad PR day for UPS, and once again the phone at the Richardson house was constantly busy!

The International union has made

### 'Continue to Enforce Settlement Agreement'

## IBT Reports Progress In Over-70 Bargaining

Progress in negotiations between the International union and UPS was marked by agreement to improve the labeling of over-70 pound packages and to cosponsor an ergonomics study. However, both parties remained far apart on the issue of creating a separate classification of drivers to pick up and deliver the heavy packages with lift-equipped trucks, and on the issue of customers helping drivers.

It's essential for UPS Teamsters and local unions to continue pushing the union's incident report campaign to document violations of the temporary agreement and any injuries sustained by UPS Teamsters.

"Although progress has been made, several important issues remain unresolved. All local unions are instructed to continue to enforce the provisions of the February 7, 1994 settlement agreement," stated a TITAN message March 17 from Ron Carey and Mario Perrucci to all local unions with UPS Teamsters.

Although specific details on the labeling agreement were not available at press time, labels are expected to be larger, a bright color and provide a

Carl's case an issue during the over-70 negotiations. Unfortunately, management seems determined to force it through the grievance procedure. The panel hearing is April 19.

Roanoke Teamsters are preparing a T-shirt campaign — "WARNING: UPS IS HAZARDOUS TO WORKERS' HEALTH" — and other activities. They are organizing a solidarity fund to help the Richardson family while they fight Carl's firing. Donations payable to Carl Richardson may be sent to The Plain Truth, c/o steward Roosevelt Via, 1604 Lonna Dr. N.W., Roanoke, Va. 24019. And they are asking other UPS Teamsters to take up the solidarity call: "Bring Carl Back!"

space for customers to record the exact weight. A matching color tape will be applied to the package by the UPS driver, making it possible to identify an over-70 pound package no matter what position a package might be in.

The union wants to see the new labeling agreement implemented as soon as possible because of the safety issue, but at press time it was unclear when that might be accomplished. The company and union also have agreed to a joint ergonomics study, with results to come out six months after a complete agreement is reached on the handling of over-70s.

Negotiations are scheduled to continue the week of April 11 in San Francisco during the quarterly UPS national grievance committee hearings.

### Enforce the Agreement!

Call for bargaining-unit help with over-70 pound packages.



# PENSION NEWS

## Pressure Mounts

# New England Pension Campaign Working

New England Teamsters have been organizing to put pressure on the their union trustees for better pension benefits. On Feb. 8, Ron Carey sent a letter to UPS members in New England calling upon them to show their support for better pensions by calling or writing Charles Langone, the fund manager, and Ernest Tusino, the trustee chairman of the fund. The Eastern Mass./Rhode Island Chapter of

TDU has launched a petition campaign to win better pensions for all New England Teamsters. The funding level established by the UPS contract, and hopefully followed by freight and other contracts, allows for improvements in our pensions: 25-and-out at \$2,000 and 30-and-out at \$2,500.

Trustees of the New England Pension Fund were contacted early on in UPS negotiations to gain their support

of the union's goal of better pensions. Better pension benefits and a decent 25-and-out are a top priority for rank and file Teamsters in New England. UPS Teamsters won a 34% pension contribution increase, but the union trustees of the fund failed to show any commitment to raising benefits until the rank and file took the offensive. Now that pressure is starting to have an affect.

nouncement had yet been made.

## Keep the Pressure Up

The campaign is starting to have an impact, but we need to keep the pressure on to ensure better pensions for all Teamsters. Here are a few ideas of what you can do for a better pension.

- Copy and circulate the petition. An organized rank and file will force unaccountable trustees to do the right thing. Now is the time to keep the pressure on them.
- Join TDU, and get a friend to join. Long-term pension improvements depend on continued democratic reforms in our union. Be a TDU builder. It's the only way we will be able to achieve our goal of better pensions and accountable union fund trustees.

## UPS & Downs

### Part-Timers Protect Their Rights, Backs — and Chests!

Part-timers in various locals have been stopping the belts to get bargaining unit help and protect their backs when handling overweight packages. This has created some very frustrated supervisors. After Local 828 members at the Mason City center in Mason City, Iowa, temporarily shut down a belt to handle an over-70, a center manager, in a fit of frustration, shoved an overweight package into the chest of one of the part-timers. Despite the center manager's actions, Teamster inside employees continue to stop the belt when necessary.

### Illinois UPSers File Suit Against UPS.

Package car drivers in Illinois have filed a class-action lawsuit against UPS for violation of the state's minimum wage law. The complaint, filed Feb. 22 in the Circuit Court of Cook County by Eugene C. Bell and 15 other plaintiffs, states that UPS has "permitted, encouraged and coerced package car drivers to perform off-the-clock overtime work during the uncompensated lunch break and before and after the official start of work." The complaint also claims "regular rate" violations because "UPS makes daily productivity bonus payments to some of its package car drivers, but fails to include these payments in its 'regular rate' for purposes of calculating overtime premiums."

The lawsuit seeks injunctive relief from UPS's unlawful practices, and compensatory and punitive damages for the plaintiffs "and all other individuals who have been employed by UPS as package car drivers in the State of Illinois on or after February 22, 1991." A similar class-action lawsuit was filed against UPS in 1990 in the state of Washington. In a settlement agreement last year, UPS agreed to pay \$12 million to that state's package car drivers. The plaintiffs in the Illinois lawsuit are members of locals 705 and 710.

TDU continues to investigate the possibility of similar lawsuits in those states with laws that provide protection against UPS's practices.

### Machinists Union Congratulates Carey, UPS Strikers.

A Machinists union lodge based in San Jose, Calif., wrote to Ron Carey on March 9: "IAM & AW Lodge 565 wishes to extend our solidarity and congratulate you and those you represent for your recent one-day strike victory against UPS. What you and the strikers did ... deserves support from all unionists. ... With the Teamster strike victory, American employers in general have been put on notice that well led militant strikes are still labor's most effective weapon and that even giant corporations can be defeated. This is why your courageous policy and actions set such an inspiring example for the labor movement as a whole.

"We could not help but notice that ... some officials cowardly broke ranks and pursued the company-government strike-breaking partnership policy. If nothing else, when the question is asked, 'which side are you on?' we know whose side strike-breakers are on. We think that your leading a successful strike, especially in defiance of an injunction that itself violates our constitutional right to assemble, can only aid in the re-emergence of a united fighting policy desperately needed throughout the whole labor movement."

### Officers Should Resign?

"All those locals in the IBT who missed the call to strike by our General President should look at their local union officers as having 'missed their calling.' Any officer of a conference or joint council who deliberately undermined the strength of our union should resign from office."

— Secretary-Treasurer Charlie Teas, Columbus, Ohio, Local 413 newsletter

### Trustees Wobble (But Don't Yet Fall)

In a March 10 letter, fund chairman Ernest Tusino claimed that they "have been arguing for 25-and-out for some time now." He seemingly contradicts himself two paragraphs later when he states that the fund "will have a 25-and-out at the point in time when it can be well afforded." Apparently he is saying that the fund could have "well afforded" to establish a 25-and-out for "some time now," yet New England Teamsters have yet to see any action taken by our union trustees.

Tusino also lies in the letter to cover up his own lack of commitment to better pension benefits. He states, "There are no other plans that have adopted the 25-and-out." At least six major funds, including the Central States, have adopted a 25-and-out benefit plan. (See *Convoy Dispatch* # 129, p. 7.)

Tusino concedes that the pressure from the rank and file has finally forced the full Board of Trustees to meet and discuss 25-and-out during the week of March 13. He writes that they will "be announcing the outcome shortly thereafter." At press time, no an-

## Organizing Works!

Hundreds of petitions have already been sent in. Keep the pressure on the fund trustees by completing and sending in the forms today.

If you need copies of the petition to circulate, or help with organizing the campaign in your area, contact TDU at P.O. Box 10128, Detroit, Mich. 48210, or call (313) 842-2600.

Send completed forms to: Eastern Mass./Rhode Island Chapter TDU, P.O. Box 206, West Bridgewater, Mass. 02379.

# Western Conference 'Golden 80' Overpriced

The Western Conference of Teamsters Pension Plan, under pressure from the International and the members, has improved its early retirement program. But the improvement falls short of what members need and deserve.

The "Golden 85" plan has been reduced just one year, to 84. This means a participant can retire early with an unreduced pension if years of service plus age equal 84.

To get beyond this token improvement, however, members have to pay a price. To get a "Golden 80" early retirement program, the members in the bargaining unit must sacrifice 10% more of their pension contribution to buy into it. For example, if you have a 25-cent negotiated improvement in pension contribution, and your pension contribution rate is \$2.50 per hour, your whole increase must be forfeited to buy into the Golden 80. (This is after your unit bought into the Golden 85 for another 6.5% of your contribution money.) Thus you give up the

increase in the pension benefits which that 25 cents could provide.

This can divide some groups of Teamsters over which way to go, and provides a pretty weak imitation of what members have demanded. Some other plans have provided much better 25-and-out and 30-and-out programs.

The union trustees of the Western plan consistently go along with the employers' program of holding down increases to maintain 100% full funding. The plan documents call for two union trustees to be appointed by each joint council, so revoking the charter of the Western Conference unfortunately will have no effect on the pension plan governance. Most of the trustees, including Mike Riley, Chuck Mack, Bob Pavolka and Ben Leal, are themselves covered by three, four or more pensions.

Teamsters interested in pension improvements need to keep the pressure on, and join the organization committed to making it happen, TDU. See application form on back page.





## Members Reject Dues Increase

To the surprise of no one, the dues referendum proposal has been rejected by the members. As we go to press, the count is far from complete, but the proposal is losing by a substantial margin.

The old guard officials, especially the millionaires at the top of the area conferences, are celebrating and boasting about the defeat of the proposal put forward by the General Executive Board. Unfortunately, the employers are celebrating along with them, as the strike fund is precariously low on funds and could run dry by June.

With the old guard campaigning hard with union resources, the proposal was almost doomed from the start. As Willie Whelan, the head of Local 584, boasted at a Joint Council 16 meeting in New York, "If a union official can't even get his members to vote against raising dues, he should resign." Playing on the "no new taxes" syndrome was easy.

### Too Much Waste

Many members told us that there is still too much waste, greed, and too many multiple salaries in the system for them to vote for a dues hike, even one designed to make the union stronger. They want to see more change made in our union. Ron Carey summed it up on March 23, as the negative trend in voting became clear: "Whether they voted Yes or No, members are frustrated because there are still union officials who hold great power but are not accountable to the membership they serve."

Carey has begun to tackle that problem, by moving to revoke the charters of the most wasteful layer of bureaucracy, the area conferences. Hopefully

in the period to come, the General Executive Board will continue to work to restructure the union, and consult with the Teamster membership in the process. Aggressive reform programs will build more membership involvement and support.

However, it is clear that no amount of cuts or reforms can possibly make up the funds necessary for the strike fund. Only additional funding can do that. That too will need to be part of any new plan for the road forward in our union.

The members have said No to the dues referendum, but have said Yes to continued reform. It will be hard to find a single working Teamster who is not happy to see the multiple-salary crowd at the conferences being trimmed as part of streamlining our union. That gives the basis for the elected IBT leadership to come forward with a positive program. TDU will be working to develop ideas that help in that process.

### Vote Analysis

The votes in the dues referendum are being tallied on a local-by-local basis, and TDU will make that information available to interested members. The initial results show that in local unions where the officials were not out campaigning against it, the proposal did much better, getting a majority in many of them. But the predominant trend was a negative vote, even in freight, where the members just voted to authorize a strike by over 90%!

The members of the Teamsters union once again have sent a message, a strong message of change. It's up to us to hear the message, formulate a program of change, and go forward.

## Carey Moves on Conferences

*continued from page 1*

money to his urgent need to maintain three (3) salaries. After Charlie Thompson was fired as an International rep and decided not to run in a hotly contested OK City Local 886 election in 1992, his buddy Jerry Cook put him on the Southern Conference payroll.

The elected IBT officers eliminated such waste at the International level, and this move would extend that kind of reform beyond the International.

Presently the Central and Southern conferences appoint the union trustees to the Central States Pension Plan. Hopefully, the new structure will provide for appointment by elected (not unelected) officers.

The old guard officials whining about Carey eliminating opposition need not worry. Most of them will still have their power base, in the joint councils and locals they control. They will still be there to organize scabbing on a UPS strike or to combat our Right to Vote and other reforms at the 1996 IBT Convention. They just won't have as much of our money to do it with!

## Who Runs the Conferences?

### Eastern Conference

#### Chair: Walter Shea

- Never worked a day in his life as a Teamster. Never been elected to any post, even shop steward. Ran for General President in 1991, came in distant third.
- Defendant in racketeering (RICO) suit brought by U.S. Justice Department in 1988. Was executive assistant to corrupt General Presidents but never noticed any corruption.
- Raked in \$657,279 in 1992 when he was cleaned out of the International, including from the Equity Plan, which the new GEB eliminated.
- In charge of Eastern Conference with 453,000 members. Spent \$4.5 million in 1992.

### Central Conference

#### Chair: Bill Hogan Jr.

- Inherited union power from his father, Bill Hogan Sr. In 1990, Hogan Sr., Hogan Jr., his brother, James, and his son, Robert, (that's four) bagged \$580,853 from just one local — Chicago Local 714. Hogan boasted on April 24, 1991, "I am living proof that nepotism works."
- Salaries and expenses of \$265,387 in 1992, after losing election as Central Conference VP in December 1991.
- In charge of Central Conference with 473,000 members. Spent \$3.5 million in 1992.

### Southern Conference

#### Chair: Jerry Cook (Jr.)

- Inherited union power from his father. Family business is Georgia Local 528.
- Salary and expenses of \$196,184 in 1992, after losing election as Southern Conference VP in 1991.
- In charge of Southern Conference with 100,000 members. Spent \$1.8 million in 1992.

### Western Conference

#### Chair: Mike Riley

- Highest paid Teamster, perhaps highest paid union official anywhere. Salary and expenses in 1992: \$329,491. Lost election in 1991 as Western Conference VP.
- Defendant in the RICO suit filed in 1988. International union paid \$62,000 to cover his own legal expenses in that case. Also charged with embezzling union automobiles, Riley settled the matter in 1991 by repaying the union \$40,760.
- In charge of Western Conference with 356,000 members. Spent \$4.1 million in 1992.



# Conference Shows New Teamsters' Commitment to Women Members

On Saturday morning of the three-day Teamster Women's Conference, about 500 Teamster women clapped and cheered as one of their Canadian sisters welcomed two Mexican women union leaders to the podium. That spirit of solidarity was evident throughout the weekend.

Joanne Derby from Local 320 in Wadena, Minn., said, "It was an event I will always remember. I only wish every member of my bargaining unit could have attended." Derby drove three hours from her home in Wadena to the Twin Cities to then travel for hours by Amtrak with eight other women Teamsters from Minnesota, a delegation largely organized by the Minnesota TDU chapter.

The March 4-6 conference in Chicago was designed to increase awareness and stimulate participation. Workshop topics included leadership skills, human rights, organizing, political action, communication skills, and meetings by craft or company. It was attended by nearly 500 women; many were officers, but most were rank and file Teamsters.

The conference was sponsored by

the IBT Human Rights Commission, which is chaired by IBT Vice President and TDU leader Diana Kilmury. Kilmury opened the three-day event with the same fiery conviction that we have become accustomed to and set the tone for the rest of the weekend. Joanne Derby said of Kilmury, "After hearing Diana Kilmury during the three days, it confirmed my belief that we can get our union back to the membership where it belongs and end corruption."

The event included a special dinner tribute to Clara Day, chair of the Conference Planning Committee, who is also Recording Secretary of Chicago Warehouse Local 743 where she has served as business representative for the past 40 years.

Behind the scenes and responsible for much of the conference planning was Joyce Mims, who volunteered her time and energy. Mims, whose leadership and organizing skills are widely known, serves on the IBT Human Rights Commission and has long been a leader of TDU in Atlanta.

## Rank and File Participation

Major Teamster struggles involving



Participants in the Women's Conference picket in support of Diamond Walnut workers.

## Constitutional Authority for Carey's Action

The Teamster Constitution is the governing document of our union. On the issue of chartering conferences by the International and bylaws of conferences, see the following sections of the IBT Constitution: Article 9, Section 1 and 2 (pages 69-70); Article 10, Section 13 (page 88); Article 16, Section 1 (pages 124-5).

If you don't have a copy of the Teamster Constitution, you may obtain one from your local union, which is obligated by law to provide this document to you. Contact TDU if you are unable to obtain one.

## Jimmy Jr. Willing to Run for \$1 million

James P. Hoffa (Jimmy Jr.) has announced he is willing to write a book if someone will give him \$1 million, and that he will then use that \$1 million to run for Teamster president in 1996, if he is ruled eligible.

No, we are not making this up. He was quoted in the March 13 Detroit Free Press as stating "It takes money, money, money" to run for union office. Apparently he has not considered asking Teamster members for donations, as we did in 1991 to elect an entire slate, none of whom was anywhere close to being a millionaire. He went on to say his desire to win the Teamster presidency, although he has never worked one day in his life as a Teamster or ever been so much as a shop steward, is "the American dream."



International Vice President Diana Kilmury addresses the Teamster Women's Conference as Ron Carey waits to speak.

women were highlighted. Jacobson's department store strikers from Michigan and Diamond Walnut strikers from Stockton, Calif., were among them. The Diamond Walnut struggle was taken to the streets in Chicago when the body organized a demonstration at a Chicago supermarket backing the boycott of Diamond Walnut products and Entenmann's bakery products.

The conference closed with plans set for the next event to be held in 1996.

## Old Guard Antics

The old guard attempted to politicize the conference but their efforts fizzled. They attempted, unsuccessfully, to get women not to participate in the solidarity march for the Diamond Walnut strikers. Patricia Franks, a TDU leader and trustee of Allentown, Pa., Local 773 explained,

"Carey gave an inspiring speech, one of his best. I was sitting near the front and glanced back to take in the moment. Sadly enough there they were, the 'old guard' sitting with poker faces amid a ballroom filled with enthusiasm and solidarity."

The event highlighted differences in the New Teamsters. It was a far cry from the old guard's "Women in the Workforce" conference called by Jackie Presser in 1986. Gail Sullivan attended both of these events, and summed it up. "Compared to the Chicago conference, the '86 conference lacked substance in that it failed to reach out to rank and file women, you didn't see the solicitation of volunteer organizers and there was a much larger number of male union officials present who claimed to be representative of the women in their locals."

## TDU RANK & FILE CONVENTION

### Oct. 28-30



*Pheasant Run*  
RESORT ♦ CONVENTION CENTER

### St. Charles, Illinois

Plan now to attend the most important Teamster event of the year. Watch *Convoy Dispatch* for more details, or contact the TDU office.



# TDU ON THE MOVE

Seattle ... Houston ... New York ... St. Louis ... Roanoke ... Chicago ... New England ... Baltimore ... Atlanta ... Oakland

## TDU Takes on New Goals

1994 is starting off with a bang in our union—a UPS strike, NMFA and Anheuser-Busch negotiations, Carey moving on the U.S. areas conferences—and TDU chapters and activists are doing their part to continue the Teamster revolution in their locals and to build TDU.

### Seattle

On March 12 the Evergreen Chapter of TDU met in Tacoma, Wash., with victories to celebrate and new goals in mind. The chapter thanked Secretary-Treasurer Bob Hasegawa and members of Local 174 for their leading role in the UPS strike and continuing struggle. And they welcomed a number of new members, including a dozen present from Tacoma Local 599.

The chapter sent some 14 members along with TDU national organizer Ken Paff to the Portland, Ore., TDU meeting that same weekend. The 40 members present also heard from International VP Tom Shay. Both meetings discussed the need for changes in the structure of the area conferences; this was one week before Carey's announcement of his intent to pull the charters of these outdated entities.

A week later Tacoma Local 599 saw some 100 members show up at a union meeting (four times the usual number) to propose a series of democratic bylaws reforms.

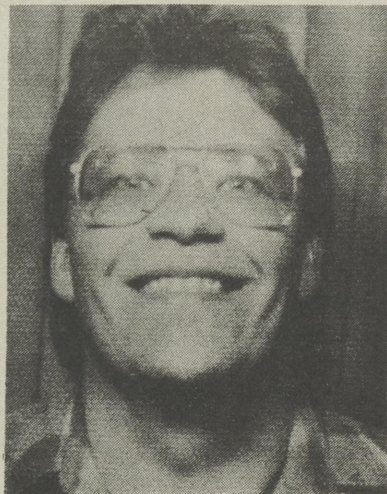
That same week Seattle Local 741 conducted a vote on a TDU-backed proposal to put election of shop stewards into its bylaws, but it was defeated by nearly a 2-1 margin. The vote was by hand count instead of secret ballot, as the last bylaws vote was taken in Local 741. Secretary-Treasurer Larry Weldon showed he could turn out a crowd to vote against democracy.

A week later, on March 20, Weldon tried hard to get the members of Local 741, a freight local, to side with the companies against a strike authorization. His pals leafletted the meeting urging a No vote, and Weldon himself said a strike vote should only be taken after the employers have given their "final offer." (It is not known if the employers pay these people or if they do the employers' bidding for free.) Fortunately this time the members, with a secret ballot, voted 89-47 for unionism and to authorize a strike.

Goals for the Evergreen Chapter include greatly increasing TDU membership in Washington, expanding into new areas, and electing reform leadership in new locals this fall. This is a TDU chapter with a solid record of achieving its goals.

### Houston

Over 150 Teamsters in Houston Local 988 showed up for TDU meetings there the weekend of March 19-20. "The meetings were a total success,"



**RECRUITER OF THE MONTH IN WASHINGTON STATE.** Jim Ferguson, warehouse worker at West Coast Grocery (Super Valu) in Tacoma, has recruited ten new TDU members in February and shared the recruiter of the month award in the Evergreen TDU Chapter in Washington. Brother Ferguson is active in the new Local 599 caucus Teamsters For The Future, as well as in building TDU.

said Chuck Crawley, one of the organizers of the meetings. "Those who attended were honored by the presence of Bill Slater, a pioneer in the reform movement and a retired Teamster from Oakland, Calif. Bill gave a rip-roaring speech attacking the old guard and their style of 'business unionism' that got everybody fired up. They reciprocated with a very emotional standing ovation."

Other special guests at the meeting included TDUs from Dallas Local 745 and Shreveport, La., Local 568, and TDU organizer Don Stone of Detroit. Besides recruiting many new members to TDU and leafletting hundreds of freight Teamsters at the strike vote meeting, a new steering committee was elected for the Southeast Texas Chapter of TDU.

### New York-New Jersey

The NY-NJ Chapter of TDU is expanding and taking steps to become better organized. Mike Caffrey, a member of Local 868 who is presently off work due to an injury, is the new volunteer coordinator of the chapter and is doing a great job.

On Feb. 26-27 the chapter held regular meetings in Brooklyn and in Jersey City to update members on current developments in the union. A highlight of the Brooklyn meeting was a surprise visit by Ron Carey, who dropped in and answered a number of questions.

On March 6 the Rank and File Committee within New York Local 272 drew over 250 members to its meeting. "It was a wonderful meeting," business agent Raul Coronado reports. "We're organizing to get a fair contract. All we

want is justice." The 4,000 parking lot attendants in Local 272 have been without a contract for two years. The former officers of the local have been removed from office and indicted, and the local is presently in trusteeship. Members are organizing for a stepped-up contract battle, and then for an election of officers after the trusteeship ends.

### St. Louis, Mo.

Local 604 members adopted a bylaws amendment that establishes democratic control over working conditions. The bylaws change, which was proposed by TDU members, received near-unanimous support. The changes provide for an elected committee, which is responsible for bargaining work-rule changes, and then for rank and file ratification of any work rules. In a recent stewards election at the Cassens terminal, TDU chapter officer Gary Smith was elected to one of the two stewards positions. Congratulations Gary!

### Roanoke, Va.

Reformers in Roanoke Local 171 voted 71 to 33 to change the local union bylaws, most of which were taken from the proposed Model Local Union Bylaws put out by the International union. They include: (1) the right of members to review financial records of the local union; (2) the right to review the minutes of local union and executive board meetings; (3) the election of all shop stewards and the creation of a stewards council; (4) the right of members to vote to approve officers' salaries; (5) stronger language regarding expense allowances for officers; and (6) language that dictates that the union will have to provide contract proposals in writing to members before a vote can be taken. The new bylaws were passed despite opposition from President Jim Guynn, who at the meeting lobbied against the changes.

### McHenry, Ill.

Local 301 TDU members hosted an organizing meeting that drew some 50 Teamsters from eight Chicago-area locals. The meeting was held in an effort to expand their rank and file campaign to enforce prevailing wage rights under the Davis-Bacon Act (see *Convoy Dispatch*, March 1994 #130). The meeting focused on education and building membership participation in the campaign and in the reform movement. The Act provides that work done on publicly funded jobs must pay the local or state prevailing wage rates established by the U.S. Department of Labor.

### New England

The Eastern Mass./Rhode Island Chapter of TDU has launched a petition drive for better pension benefits

for New England Teamsters. The New England Pension Fund is the only major Teamster pension fund to fail to commit to benefit increases following the 35% contribution increase won in the UPS contract (see article page 5).

### Baltimore

Joint Council 62 overturned last fall's Local 355 election and ordered that a new election be run under third-party supervision. The decision was based on the security of the post office box where the ballots were kept and for an "error" in the numbering of the ballots.

### Atlanta

You reap what you sow. Jerry Cook's problems continue to mount. On March 21, Ron Carey moved to revoke the charters of the U.S. area conferences, including Cook's cash cow, the Southern Conference. Prior to that TDU members and other reform-minded Teamsters in Local 528 had submitted the International's Model Local Union Bylaws as proposed amendments to the local's bylaws. At the March 19 membership meeting, BA Don Skinner made an illegal motion that the local's current bylaws are just fine and no amendments need to be read or voted on. After a quick voice vote, Cook declared the motion adopted.

Unfortunately for Cook, the Model Bylaws were properly submitted by the members and must be read and voted on. Local 528 rank and file members may have to file yet another set of Ethical Practices Committee charges against Cook, who seems to be getting more desperate. And, members are building a war chest to run against Cook in 1995 (see photo page 9).

### Oakland, Calif.

In recognition that UPS began violating its new agreement with the Teamsters before the ink on the contract was even dry, the East Bay Chapter of TDU is organizing a UPS Contract Enforcement Seminar (see TDU Meets, p. 11). The seminar will focus on enforcement techniques for newly won contract language, including protection from harassment, loss and damage language, supervisors working, seeking proper help in over-70 packages and other new provisions.

Watsonville Local 912 President Joe Fahey will be one of the seminar leaders in this move to better educate and train rank and filers and stewards to vigilantly enforce this new contract. Local 315 member Leslie Tereck said, "TDU's role has always been to get the information into the hands of the rank and file to better enable them to fight for their rights. This seminar is designed to bring the membership right into the middle of this fight to enforce the agreement."



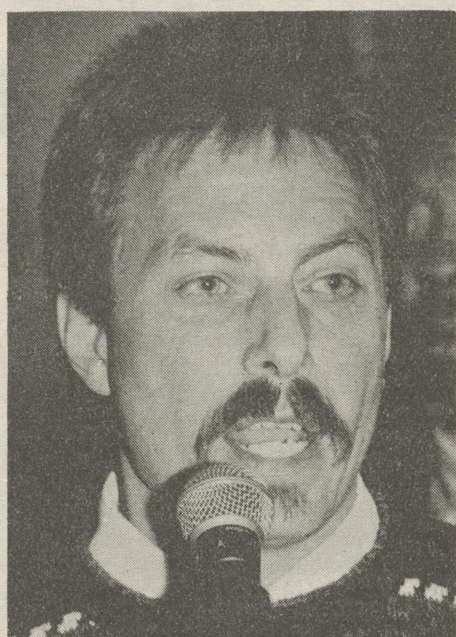
# Reform Victory In Gary Local 142

Rank and file Teamsters made history on March 19 by winning an election in a Chicago Joint Council 25 local union. The membership of Gary, Ind., Local 142 issued a mandate for reform in the rerun election, with the New One-Forty-Two slate sweeping all four contested positions by a 2-1 margin. The Sawochka family had controlled the 5,000-member general local for the past 67 years.

The reform slate narrowly lost the first election, which was tainted by numerous irregularities and violations. Chicago Joint Council 25 heard the post-election protest, but despite evidence of some 300 missing ballots and threats made by the old guard incumbents, it would not overturn the election. Instead Dan Ligurotis, Bill Hogan Jr. and the other joint council officials advised that "Local 142 should take steps to avoid another such discrepancy." The reform leadership at the International gave the membership of 142 the opportunity for a fair hearing. Upon review of the evidence in the case, the General Executive Board ordered a rerun election.

The reform movement in Local 142 did not sit idly by during the post-election protest hearings. They were building a reform movement and continued to do so after the first election.

Don Sawochka delayed the rerun election for several months in a desperate attempt to avoid facing another election. The supporters of the New One-Forty-Two team used that time to continue to reach out to new



Rick Kenney, Local 142 secretary-treasurer elect.

shops and recruit new members to the reform movement.

The International ordered that the rerun election be conducted by mail ballot voting. The observers and supporters for the reform team took the necessary steps to monitor the conduct of the election. But they had already laid the groundwork for the best protection against a stolen election, an overwhelming vote of support by the membership.

Congratulations to the New One-Forty-Two slate and the members of Local 142 in making history in the Teamsters reform movement!

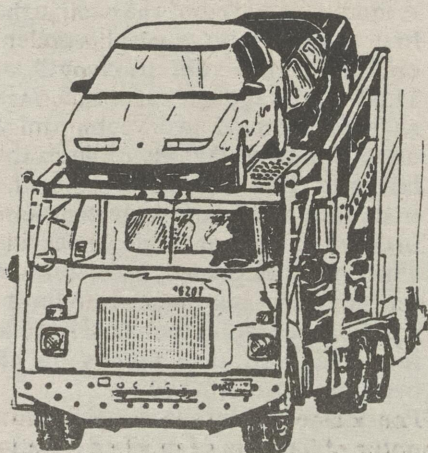
## Memphis Carhaulers Fight Off Concessionary Proposal

Commercial Carriers Inc. in Memphis tried to bring to a vote a proposal that would require owner-operators to lease company-owned trailers and increase the number of cars that can be hauled from nine to 12. The proposal meeting, which was to take place at the Local 984 union hall, was canceled due to the loud protests of carhaulers who argued that the vote was in violation of the contract. Together, with help from the International, it was decided by the local not to conduct a vote.

The proposal that CCI tried to float by the drivers was that the owner-operators would lease company trailers and either customize their tractors to accommodate more cars (at an approximate cost of \$5,000) or buy company equipment. Commercial Carriers would then lease to the drivers trailers that could increase the owner-operators overall capacity to 12 cars, for a fee of \$750 a month (10-car trailer for \$650). The deal would also require the drivers to pay for maintenance, tags, insurance, and basically provide the company with a trailer without really owning it. Attached to the deal was a so-called incentive that provided for a progressive production payment. The company offered to pay 61% of the gross for up to \$3,999, 62% to \$4,999 and 63% of the gross for anything over

\$4,999. The current contract agreement provides for 75% of the gross when an owner-operator provides his own trailer. It doesn't take a rocket scientist to figure out that this was a losing proposition. The proposal included the forfeiture of ancillary charges as well.

Frustrated that the owner-operators weren't falling for their scam, the company called a meeting of the drivers on March 17 and now contends that it plans to make all the owner-operators drive company trucks. The company set a target date of October for the change.



**Local 528 Teamsters Open War Chest.** Kroger driver Ray Stallings (l.) presents a check for \$1100 to Atlanta Gaslight steward James McCleskey (c.) and Kroger steward Ken Hilbish at the TDU chapter meeting March 12. The money was donated by Kroger drivers in Atlanta to start a campaign fund for the 1995 local union election. Hilbish and McCleskey will be leading a slate of candidates against President Jerry Cook and the incumbent executive board. "We're asking members to volunteer to take the fundraising job on at each barn in our local," said brother Stallings, who organized the fundraiser among the Kroger drivers.

## California SDMI Grocery Teamsters Win Big

Six hundred Teamsters successfully petitioned the IBT for help in preventing the separation of SDMI warehouse workers and drivers into two local unions. Now the workers at the world's largest grocery distribution center in Tracy, Calif., will be represented by nearby Stockton Local 439, optimizing meeting attendance and influence within the local union.

IBT Secretary-Treasurer Tom Sever wrote Joint Council 38 and Local 439: "The SDMI employees' bargaining power will be enhanced by permitting Local 439 to represent both the drivers and warehousemen. Moreover, the consensus among the SDMI employees is that they do not wish to be split up into two separate local unions." Sever directed that SDMI Teamsters be immediately transferred from locals 70 and 853 to Local 439.

IBT VP Ken Mee wrote the SDMI Teamsters: "The key to a better future for you and your families is democratic representation, shopfloor vigilance, and solidarity. You have my personal assurance that you will never again be forgotten Teamsters. You may count on my support as you seek fairness on the job and security for your families. Because of your hard work and determination, you can stand tall and proud today. Congratulations!"

Shopfloor activists who led the petition drive cheered the great news, and announced a March 26 meeting to plan their next steps and discuss demands for no less than two full-time business representatives selected by the SDMI membership, and a unified, elected shop stewards' council of warehouse workers and drivers.

Since October these activists have met regularly to educate themselves on grievance procedure fundamentals, Weingarten rights and the legal duty of fair representation. When local officials wouldn't pay warehouse stewards to attend grievance hearings, the activists set up a stewards fund.

The opening of the new Tracy distribution center soon led to job losses in Sacramento Local 150 and whipsawed concessions in Vacaville Local 490 and Fremont Local 853. From the first day to now, the grocery facility has been a big-brother sweatshop with ugly guardhouse discipline, unfair dispatching and arbitrary terminations. Pattern bargaining has been destroyed, as the grocery chains continue to roll back past gains by the locals.

But the fruitful cooperation of the SDMI rank and file and the IBT is a practical lesson that points to a brighter future for all NorCal grocery workers.

### The Legal Rights of Union Stewards

A comprehensive explanation of the rights of union stewards, officers and business agents. Written in an easy-to-read, question-and-answer format by attorney Robert Schwartz. Topics include the right to information, duty of fair representation, Weingarten rights, and protecting the grievance process.

Price: \$9.95 each (postage and handling included); \$8.95 each for 5 or more. Please send me \_\_\_\_\_ copies.

Amount enclosed \$ \_\_\_\_\_

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Send to: TDU, Box 10128, Detroit, Mich. 48210



## GROCERY, BREWERY NEWS

# Unjust Firing of Kroger Driver Shows Problems in Atlanta Local 528

TDUers in Atlanta Local 528 and other reform-minded members have bounced back from a 1992 election defeat. They've submitted Model Bylaws amendments. They're building for the 1995 election. But they see their local's membership and assets shrinking from corporate mergers, decertifications, and members who stop paying union dues in this right-to-work state because the union leadership is weak and in bed with the employers.

The firing of Kroger driver Anthony Toney in 1991 exemplifies the problems in Local 528. Kroger in Atlanta hired Toney as a driver on Nov. 12, 1990. The events leading up to his firing arose out of a campaign for elected shop stewards. Before 1991 stewards had been appointed by the local. But after a heated petition campaign, an election was finally held on July 14.

Drivers were looking for fairer treatment from Kroger and follow through on grievances they filed. Toney, Ken Hilbish and other drivers organized the petition campaign to pressure the local for an election. After a drivers meeting in a break room June 23, management went berserk, interrogating drivers one-on-one, threatening discipline and campaigning for the appointed stewards.

### Union-Employer Collusion

Cartoons depicting the appointed stewards "in cahoots" with Kroger infuriated management. The administrative law judge (ALJ) hearing Toney's NLRB case against Kroger wrote in his decision on Jan. 15, 1993, that one employee testified that assistant distribution manager Paul Kemme told him that if he found out who had been

posting the cartoons he was "going to fire the hell out of them." Kemme went on to say that Kroger wanted to keep the appointed stewards "because it had taken them a long time to get things the way they were."

The ALJ decision provides ample documentation of collusion between President Jerry Cook's Local 528 and Kroger. Another employee interrogated by Kemme "testified credibly that Kemme then stated 'in order for the company to operate properly ... the Company and the Union are in bed together.' (He) testified that as Kemme made this statement, Kemme crossed his index and middle fingers, representing a togetherness."

The results of the stewards election broke up that "togetherness." Five of seven appointed stewards were replaced. Toney had played a big role in getting the election. And by August 1991 management had him pegged as responsible for distributing many of the cartoons.

Right after the stewards election, the ALJ found that Kroger "began to subject certain employees to minute scrutiny." A routine updating of employee files regarding DOT-required information on drivers' backgrounds and driving records turned into a witch hunt. Atlanta management expedited procedures to get the background checks directly from an independent firm, rather than have the firm route them through the Cincinnati headquarters as in the past.

Said the ALJ, "In fact, the rapidity and efficiency of the arrangements made immediately after the election of new union stewards stand in sharp contrast to the wholly lackadaisical at-

titude of (Kroger) toward receiving the background checks up to that point. I find as alleged in the complaint that (Kroger) instituted these new procedures for background checks in retaliation against employees for electing new and more active union stewards in violation of ... the Act."

Kroger attempted to fire three drivers, Toney and two others, on Sept. 4, 1991, for allegedly lying on their employment applications that they had never been convicted of a crime. Elected steward Hilbish investigated and found that two drivers had been convicted under the Youthful Offenders Act, which expunges the conviction at adulthood if the person keeps a clean record. When this was pointed out, management backed off their discharge threats.

The ALJ stated: "It is quite apparent that when (Kroger) notified Hilbish on Sept. 4 of the decision to terminate (the two drivers) and Toney for the same reason, i.e. falsification of the employment application, (Kroger) was intentionally building a case of consistency. When it was forced to withdraw the decision to discharge (the two drivers), (Kroger) shifted its asserted reason on Sept. 5 for discharging Toney from the alleged falsification of his employment application to the alleged doctoring of an M.V.R. (motor vehicle report). ... The conclusion is inescapable that Toney's job application and M.V.R. were scrutinized in every detail in order to find a pretext for discharging Toney."

The NLRB consolidated several other unfair labor practice charges against Kroger by Local 528 members

with Toney's charges. The ALJ found too many violations of the Act to list, including: discharging Toney in retaliation for his engaging in protected concerted and union activities; interrogating employees about their concerted activities, and threatening them with discipline for engaging in concerted activities; instituting new procedures for background checks of employees in retaliation "for electing new and more active union stewards; threatening reprisals for filing grievances; and disparately removing TDU literature from bulletin boards."

The ALJ on Jan. 15, 1993, ordered Toney's "immediate and full reinstatement," with paid loss of earnings and benefits, "less net interim earnings." Kroger has been appealing this order ever since. It now rests in federal appeals court. The NLRB told Hilbish it expects Toney to return to work this year.

What did Local 528 officials do while Kroger trampled on union members' rights? They watched. Steward Hilbish researched the Board charges, and presented the case before the ALJ. In route to Toney's grievance panel, the BA had asked Hilbish, "Is he TDU?" Toney also filed unfair labor practice charges against Local 528. To settle, the local paid him \$6,000 "for complete release of any and all claims against Teamsters Local 528."

Ron Carey moved on March 21 to revoke the charter of the Southern Conference, chaired by Cook. The rank and file are moving to get him out of Local 528 in the 1995 election. If only the local can remain solvent that long.

## Proposed Local 70 Deal Worries Local 490 Lucky Teamsters

Pending membership ratification, Oakland, Calif., Local 70 officials agreed by letter (Feb. 14, 1994) to reopen the Lucky Stores San Leandro distribution center contract, not due to expire until 1995. Some Lucky Stores Teamsters in Vacaville (Local 490) worry that their work may be transferred to San Leandro, and they will not be permitted to follow that work.

Others are concerned that Local 70 negotiators will trade off money or conditions for supposed job security, since Lucky talks of spending as much as \$40 million to redevelop the warehouse complex. Trade-offs and concessions would place the Vacaville Teamsters in line to get whipsawed due to industry destabilization connected to the infamous Safeway/SDMI 1992 contract settlement.

Vacaville Teamsters thought their contract allowed them to follow their work. Recently, eight of them did transfer to San Leandro, but they have now been told no more will be coming.

The letter of agreement to reopen the contract states "... the redevelopment plans represent a unique opportunity to join together for the purpose of ameliorating labor/management relations and to utilize the collective bargaining process to improve distribution and warehousing efficiency and productivity in the interest of both parties." That language is a statement of Lucky's agenda for reducing labor costs (wages and conditions), in order to increase profit.

In view of the difficulties facing the locals in dealing with an aggressive employer, the local unions should be combining their strengths. But JC 7 is providing no such leadership, allowing each local to go its own way while deterioration of Northern California grocery wages and conditions continues. It will be up to the rank and file to build the unity and strength needed, since the JC 7 officials called the SDMI settlement the best labor victory in 10 years.

## A-B Teamsters to Vote on Contract Offer

After giving their bargaining committee a resounding 95% strike authorization vote, rank and file Anheuser-Busch Teamsters have been presented with a tentative agreement that, while not as insulting as the first proposal, still leaves much to be desired.

Key elements of the proposed agreement are as follows:

- A four-year contract. The first proposal was for a five-year contract.
- A lump-sum payment of \$1,250 in the first year with no general wage increase. Lump-sum payments of \$1,000 and wage increases of \$.40 in each of the next two years, and a lump sum of \$1,000 plus \$.45 in the last year. This slightly improves the first offer, which kept wage increases to only \$.25 an hour, while preserving a favorite trick of many companies in recent years — put money into lump-sum bonuses rather than hourly wage increases and save money on all overtime hours worked.
- Pension contributions were kept to a paltry increase of \$.30 over four years. The first offer contained no

increases whatsoever!

- The establishment of a "managed-care" medical program under A-B's control. While some of the worst provisions were removed since the first offer, it is still inferior to the health care benefits previously enjoyed by A-B Teamsters. Those Teamsters who choose to maintain their current medical plan must pay the difference between A-B's plan and their current plan through payroll deduction.
- New "weekend warriors" to receive only straight time pay.
- Perhaps the only redeeming characteristic of the proposal is a job-security/pension-enhancement program that allows for greater transfer rights between plants in the event of layoffs or a pension enhancement program for older workers who cannot take advantage of the improved transfer rights. This is particularly valuable since automation is almost certain to reduce employment at Anheuser-Busch in the future.

Ballots were sent out on March 21 and are to be counted April 11.



# LETTERS FROM OUR MEMBERS

## Spirit of TDU in Washington State

I attended my first ever TDU meeting last weekend. Wow! We at the Evergreen Chapter meeting in Tacoma, Wa., were caught up in the spirit of TDU.

We had a guy there who had been shot and imprisoned in the Minneapolis strike in 1934 who gave a rousing speech. We had a host of local TDU leaders from UPS, Super Valu and other freight carriers. The highlight of the day was Ken Paff, an interesting and marvelous speaker.

It was brought up that things are more complex now than they were in 1934. They were bad enough then, but now we are experiencing the marriage of government and corporate America as we have never seen or imagined. Corporate media can make us feel guilty for going to a fundamentalist church, owning a gun or going for a particular wage and benefits package. I had to stand up and point out that, as one finishing an economics degree, I know for a fact it is not our wages that cause inflation. Employers invariably obtain a productivity increase outstretching the wage increase. The federal reserve and their playing around with interest rates, along with fluctuations in the demand and supply of goods and services, etc., are the biggest causes of inflation by far. I also had to mention that if our unions get back into the pockets of corporations and government all hell will break loose.

I personally thanked those locally who kept after me with TDU, legal and election information, and Ken Paff for being persistent in giving this democratic form of unionism to us ... to a great round of applause, I might add.

**David Hill**  
Local 599, West Coast Grocery  
Tacoma, Wa.

## Members Respond to UPS's Oz

Some UPS Teamsters who received Oz Nelson's four-page letter at their homes felt compelled to write back to the UPS CEO with their own concerns. Here are excerpts from two of those letters. The first is from an 18-year package car driver in Vancouver, Wash., dated Feb. 19, and the second is from a 13-year package car driver in the Seattle area, dated March 8.

**Vancouver, Wash.** — The purpose of this letter is to help you understand the circumstances surrounding the recent strike called by the IBT, since it is obvious from your letter that you certainly do not understand the significance of the package weight change.

The move from 70 to 150 pounds was certainly not well thought out. Our competitors may be handling heavier packages but they are not UPS and do not have the unrealistic time requirements and harassment placed on UPS workers when produc-

tion does not meet expected levels. I strongly disagree with your statement that the higher weight limit will not be a large source of UPS business. ... Even if this statement is accurate, it only takes one heavy package to injure a worker. How many workers will be forced out because of a major injury? ... Your training program ... insulted the intelligence of every UPS worker. ...

I am extremely disappointed that every UPS Teamster did not honor the IBT strike. This only shows that we have some weak local officials. If the strike would have lasted 24 hours, you can be assured that my local and many others would have followed. ...

I am convinced that the IBT did the only thing they could by going out Feb. 7, even though there was a restraining order. Their main concern then and now is to protect our safety, health and welfare. UPS could have avoided it by calling customers Saturday and Sunday to inform them the new weight limit would be on hold rather than calling every UPS Teamster to tell them to report to work on Monday. In my opinion, this was poor judgment on your part.

You state that "your quarrel is solely with the IBT." ... When you take action against the IBT, you are personally taking on every UPS Teamster and many of us will not stand still for it and will do whatever is within our power to protect the IBT. ...

I do not find these past events bewildering as you state in your letter, nor do I feel we should put them behind us. If you had initially worked with our negotiating committee, this could have been avoided entirely. Hopefully you learned a lesson from this, Mr. Nelson, and will not call the IBT's bluff again. They are not the "good ole boys" you dealt with in the past.

— Joseph P. Duvall, Local 58 steward

**Seattle** — As a package car driver of 13 years I have experienced a lot of change in UPS. In my view we have lost some of the direction our founding fathers based this company on. I applaud all of the new services and expansion we now provide our customers. ... But I believe we are forgetting our most important asset. Our people. Our people are the key to our success. ...

I do feel that in the last few years, as UPS has expanded its services, we have spread ourselves thin. There has not been enough training and updates to keep up with the new services and technology. ... I can give you a couple examples of why I feel this way. (The author cites 3-Day Select service and the 150-pound weight limit.) ...

(On the over-70 pound implementation) I felt that UPS did not have its employees' best interests (safety and health) protected. Without the agreement the IBT and UPS hammered out during the strike we could have been put in a situation where bad judgment could cost us our careers and ... a lifelong physical in-

jury. We were not looking for financial gain, just safety precautions to protect us.

We knew the weight increase was needed to keep up with our competitors, this was not disputed. We all wanted this to work, but safety was not emphasized like it should have been. Even after the new service was implemented we had a driver injured because he was not notified he had an overweight package in his truck and tried to lift it straining his back (he has been out since Feb. 14). This did not have to happen. ... This will keep happening until the guidelines set up in the agreement are followed to the letter. ...

I have given you some of the challenges we face as employees at UPS. I will now give some ideas to improve our service. (The author lists and explains: safety, accuracy, efficiency, communication, and courtesy and respect.)

In summation, I wrote this letter to express my deep concern as to the direction of UPS. To be the best, do we have to forget what got us there? I don't think so. ... My question is do we have to sacrifice our people to stay the biggest and the best in the world? My answer is emphatically NO! ... We cannot ask our people to push for unreasonable goals every day. Somewhere along the line it will cost us all. I think this can be prevented. A kind and courteous approach is a start to improving life at UPS for all.

— Scott Serpa, Local 174

## Reform Pensions for Unity

Pension reform is one way to restore rank and file confidence in our union. This will only be accomplished when all Teamsters (officials and rank and file members) are under the same pension plans. If we are truly to be united in the present, our futures should also be united.

**Patrick Finelli**  
Local 773, Ashland Chemical Co.  
Allentown, Pa.

## Area Conferences Not Needed

In reading *Convoy Dispatch's* March 1994 issue, I felt that I had to express my opinion on the article on page 7 entitled "Debate Over Conferences Rages." Carey vs. Riley, Shea, Cook and Hogan. I'm in complete agreement with President Carey's position that the four conferences and their millionaire officials are no longer needed. In my opinion, they never were needed.

These guys insult my intelligence. The biggest joke of it all is they went to court and tried to get an injunction to stop the rank and file from voting on a dues increase for the first time in the history of the International Brotherhood of Teamsters. I'll bet they used conference dues money to

pay for the filing fees and related expenses.

I have a comment about *Convoy Dispatch* — it's one of the best rank and file newspapers available. Keep up the good work!

**Eddie R. Pinheiro**  
Local 70, retired  
Oakland, Calif.

## Order Convoy Dispatch By the Bundle

*Convoy Dispatch* is a great source of news, and TDU's best recruiter. Want to help keep other Teamsters informed and build TDU? Order a bundle to distribute each issue.

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Detroit, Mich. 48210  
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## TDU Meets

**ARIZONA**  
Saturday, April 23  
3 p.m.  
9043 N. 36 Dr.  
Phoenix

**ATLANTA**  
Saturday, April 9  
7:30 p.m.  
Forest Park Recreation Dept.  
803 Forest Pkwy.  
Forest Park, Ga.

**EAST BAY, CALIF.**  
UPS CONTRACT ENFORCEMENT  
SEMINAR  
Saturday, April 23  
11 a.m.  
Walnut Creek, Calif.  
For information call (510) 653-3865

**NEW YORK/NEW JERSEY**  
RUNNING FOR LOCAL UNION  
OFFICE WORKSHOP  
Sunday, April 17  
11 a.m.  
500 State St., Brooklyn  
Near Atlantic Ave. LIRR

**ROANOKE, VA.**  
LEGAL RIGHTS OF UNION  
STEWARDS WORKSHOP  
Saturday, April 23  
For information call (313) 842-2600

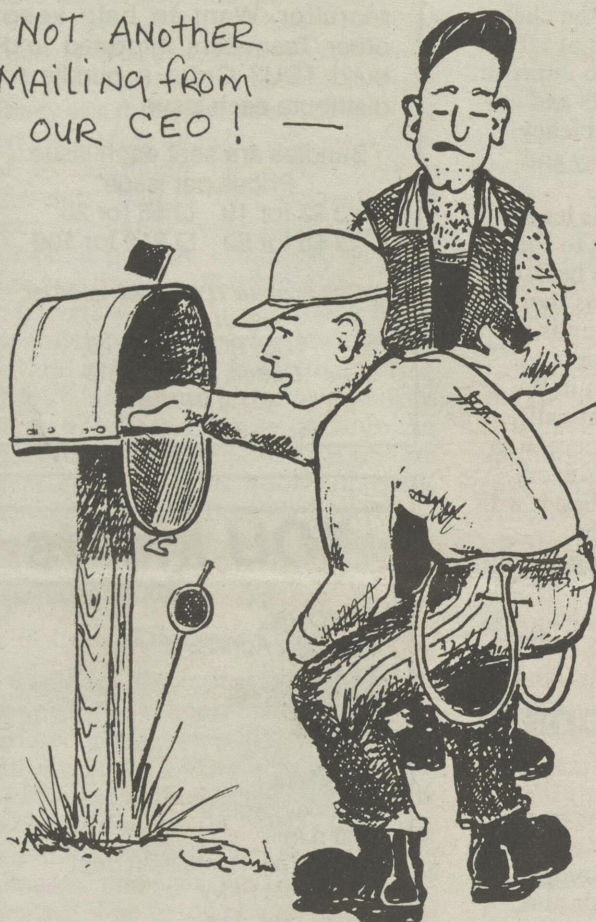
**SOUTHERN CALIFORNIA**  
Saturday, April 16  
10 a.m.  
VFW Hall  
101 S. Main St.  
Pomona, Calif.  
For information call (310) 427-7328  
or (310) 426-3634



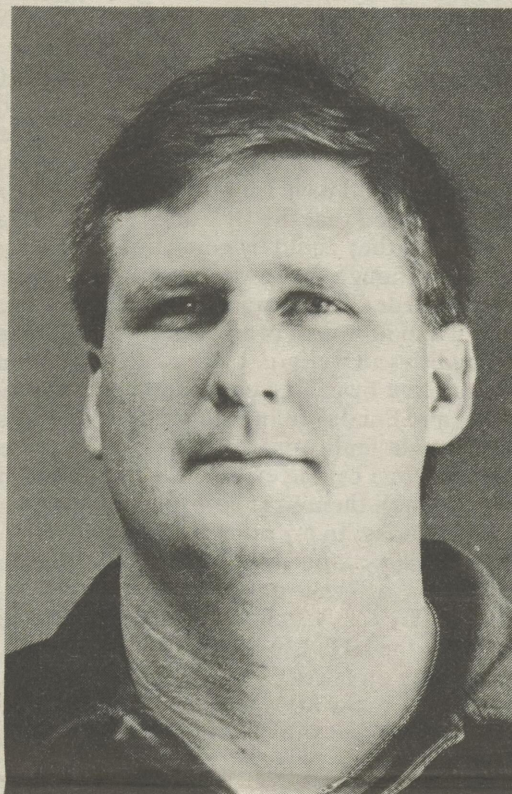
# Ready to Strike For Our Future

On the weekend of March 19 - 20, freight Teamsters sent the employers a clear, unified message, "It's time to get serious about our future." Freight Teamsters voted by over 90% to back the national negotiating committee in doing whatever it takes, including a strike if necessary, to win a decent contract.

NOT ANOTHER  
MAILING FROM  
OUR CEO!



NO. I  
JOINED TDU.  
.... IT'S  
MY CONVOY  
WITH THE  
LATEST  
TEAMSTER  
NEWS.



**Darryl Connell**  
**ABF Steward**  
**Local 200**

**Milwaukee, Wisc.**

Here in Local 200, we voted by over 97% to back the Teamster National Negotiating Committee at this critical time in bargaining. We're ready to do whatever it takes to win a fair contract. TDU members are at the front of the line when it comes to fighting for decent contracts and a stronger union. Together we can achieve these goals. We need your support. Join TDU today.

## JOIN TDU

*If you share our vision for the future of our union,  
do your part and join today.*

### TDU MEMBERSHIP APPLICATION

Name \_\_\_\_\_ Local # \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Company \_\_\_\_\_

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

☐ Other \_\_\_\_\_ Optional: Spouse's name \_\_\_\_\_

☐ \$35 one-year's membership & subscription to *Convoy Dispatch*.

☐ \$85 three-year membership fee. (\$10 shall be rebated to the local chapter.)

☐ \$20 for spouses, retirees and Teamsters who gross less than \$17,000 a year.

☐ Check or money order

☐ Mastercard/Visa # \_\_\_\_\_ Exp. date \_\_\_\_/\_\_\_\_/\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

**Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210**

TDU membership is kept confidential.

TDU solicits and accepts membership applications and donations only from Teamsters, and from individual retired Teamsters and spouses who are not employers.

## WHAT YOU CAN DO

■ **Keep informed and inform others.** The employers are flooding our mail boxes with their direct demand for concessions. It's up to us to keep our fellow Teamsters informed about the union's goals and what we need to do to achieve them. Contact the TDU national office for the latest information on bargaining.

■ **Join TDU and sign up a friend.** Some of our goals for a decent contract, like grievance panel reform and better pensions, depend on the continued reforms within our union. If you want to see accountability in our union grievance-panel members and pension trustees, start by joining TDU today.

■ **Get on board the union caravan.** The International and many local unions are launching membership mobilization campaigns. They are organizing caravans and barn rallies. Plan to participate and get others to join in.

■ **Organize for potential strike action.** The International is encouraging locals to organize strike coordination with strike captains at each barn. If your local is not doing this, or for more help with organizing in your area, contact TDU.